

**PUBLIC NOTICE  
CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW  
190 DYER STREET  
PROVIDENCE, RHODE ISLAND 02903-3902**

**APRIL 29, 2008**

**Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall (25 Dorrance Street) on Tuesday, May 13, 2008 at 5:30 and 7:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:**

**5:30 P.M.**

**COURT PURRINGTON: 155 Ohio Avenue (corner Narragansett Boulevard) Lot 168 on the Tax Assessor's Plat 87 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 201.6, 201.7, 201.8(A) and 303-use code 13 in the proposed removal of the legal nonconforming commercial use on the ground floor level of this existing three-family dwelling, and the expansion of the first floor dwelling unit into the ground floor level. The applicant is requesting a use variance for the expansion of the dwelling unit because the three-family use is nonconforming in this R-2 district. This request**

meets the parking requirement. The lot in question contains approximately 3,200 square feet of land area.

**HOLDEN 86, LLC:** 86 Holden Street (also known as 37 West Park Street), Lot 419 on the Tax Assessor's Plat 67 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 304 and 703.2 pursuant to Section 200 in the proposed change in the use of the building from a rooming house containing 10 rooms to a two-family dwelling. A two-family use is permitted within this R-3 district, however only when located on a lot containing no less than 4,000 square feet of land area. The subject property contains approximately 3,369 square feet of land area therefore, the applicant is requesting a dimensional variance from regulations governing lot area conformance, lot area per dwelling unit, and the parking requirement, whereby a two-family use requires 3 parking spaces, two parking spaces are provided within the existing garage.

**WILLIAM W. HOPKINS AND LINDA M. DANIELS:** 489-491 Eaton Street, Lot 53 on the Tax Assessor's Plat 85 located in a Residential R-1 One Family Zone; to be relieved from Sections 201, 201.6, 201.7, 303-use code 12 and 304 in the proposed construction of a new dormer addition to the roof of this existing legal nonconforming two-family dwelling. The new dormer would increase the ceiling height at the third level in order to provide for a bedroom and bathroom. The applicant is requesting a use variance for the expansion of this nonconforming use within the R-1 district, and a

**dimensional variance from the overall building height restriction. The lot in question contains approximately 5,157 square feet of land area.**

**GFM REALTY, LLC, OWNER AND THE RACK, INC., D/B/A SMOKE, APPLICANT AND LESSEE: 114 Spruce Street, Lot 546 on the Tax Assessor's Plat 28 located in a General Commercial C-2 Zone; to be relieved from Section 703.2 in the proposed change in use of the existing building from a single-family dwelling to a bar and cigar lounge. This proposal is permitted within the C-2 district. The applicant is requesting a dimensional variance from the parking requirement whereby, 23 parking spaces are required; however, the subject property has no open space available for on-site parking. The lot in question contains approximately 4,065 square feet of land area.**

**7:00 P.M.**

**ESTATE OF ARNOLD HAHN, OWNER AND CAW CORPORATION, APPLICANT: 129-137 Douglas Avenue, Lots 207, 318, 320 & 833 on the Tax Assessor's Plat 68 located in a General Commercial Zone C-2 Zone. The applicant is requesting permanent approval for a special use permit pursuant to Section 303-use code 58 in the proposed inclusion of entertainment within the existing restaurant. On October**

**9, 2007, the Board granted a temporary special use permit under Resolution No. 9266 dated November 27, 2007, for a period of six (6) months only. The lots in question contain approximately 26,000 square feet of land area.**

**Pursuant to Section 902.1 the Board will meet as an Appellate Board concerning the following matter regarding a decision rendered by the Director, or other authorized agent of the Department of Inspection and Standards:**

### **APPEAL FROM THE DECISION OF THE BUILDING OFFICIAL**

**Owner/Appellant: Brown University**

**Property Location: Block bounded by Hope Street, Lloyd Avenue, Arlington Avenue and Angell Street, including 235 Hope Street and 235 & 295 Lloyd Avenue, also known as Lot 115 on the Tax Assessor's Plat 11**

**Zoning District: Residential R-1 One Family Zone and Institutional I-2 Educational Floating Zone**

**The Building Official has determined that a building permit is required for new light poles at the existing athletic fields. The Building Official has also denied such building permit concerning the installation of six new poles, which are 90 feet in height. The Building Official contends that the subject poles fall within the provisions of the Zoning Ordinance and must meet the maximum height restriction in the I-2 Zone. The Appellant contends that the Zoning Ordinance does not regulate the height of "structures" in the I-2 Zone, that the light**

poles are legal nonconforming structures, and that the City of Providence is barred by the doctrines of estoppel and equal protection from regulating the height of these light poles.

**BROWN UNIVERSITY, OWNER/APPLICANT:** Block bounded by Hope Street, Lloyd Avenue, Arlington Avenue and Angell Street, including 235 Hope Street and 235 & 295 Lloyd Avenue; Lot 115 on the Tax Assessor's Plat 11 located in a Residential R-1 One-Family Zone and an Institutional I-2 Floating Zone District; to be relieved from Section 305, footnote #2. The existing educational institutional use will not change. A dimensional variance is sought for light poles exceeding the maximum height. In the I-2 zone, the maximum height is 75 feet. The applicant is requesting a dimensional variance relating to twelve light poles: 15 feet each for the six Berylson Field light poles, all of which poles are 90 feet in height. The applicant also seeks a dimensional variance of 5 feet each for the six Stevenson Field light poles, which are 80 feet in height. The lot in question contains approximately 1,634,244 square feet of area.

**THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.**

**THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.**

**ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRECTION DE LA JUNTA DE REVISIONES DE ZONA.**

**LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.**

**PETER D. CARNEVALE, SECRETARY**

**(401) 421-7740 EXT. 376**